

with the statutory enactments above referred to and with other statutory provisions relating to leases of this kind. I am accordingly approving this lease as to legality and form as is evidenced by my approval endorsed upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

JOHN W. BRICKER,
Attorney General.

5645.

APPROVAL—LEASE TO INSERT PIPE INTO LEVEL OF M & E
CANAL AT ST. MARYS, OHIO—N. Y. C. AND ST. L. RAIL-
ROAD COMPANY.

COLUMBUS, OHIO, May 28, 1936.

HON. CARL G. WAHL, *Director, Department of Public Works, Columbus, Ohio.*

DEAR SIR: You have submitted for my examination a certain lease in triplicate executed by you as Superintendent of Public Works and as Director of this Department to The New York, Chicago and St. Louis Railroad Company, by which, in consideration of the payment by the above named lessee of an annual rental of \$216.00, payable in semi-annual installments, said lessee is given the right for a term of five years to insert into the level of the Miami and Erie Canal at St. Marys, Ohio, a three inch pipe and to take from the canal at this point such water as may be necessary for the purpose of supplying the locomotives of the railroad company.

This lease has been properly executed by you as Superintendent of Public Works and as Director of the Department, acting for and on behalf of the state of Ohio, and by said railroad company, acting by the hand of one of its Vice Presidents pursuant to a resolution of the Board of Directors of said company duly adopted under date of July 30, 1935.

This lease is one executed under the authority of Sections 433 and 14009, General Code, and the provisions of the lease and the conditions and restrictions therein contained conform with these sections of the General Code and with other statutory enactments relating to leases of this kind. I am accordingly approving the lease and have endorsed my approval upon the lease and upon the duplicate and triplicate copies thereof, all of which are herewith enclosed.

Respectfully,

JOHN W. BRICKER,
Attorney General.